

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

MICHAEL ROBERTSON

PLAINTIFF

VS.

NO. 4:20-CV-1259 LPR-PSH

**LT. NICOLE NELSON, GREGORY BOLT,
and SGT. MURPHY**

DEFENDANTS

ANSWER

Come now the Pulaski County Defendants, Lt. Nicole Nelson, Gregory Bolt, and Sgt. Murphy, in their personal and official capacities, and for their Answer to Plaintiff's Amended Complaint (Doc. No. 4) state the following:

1. As pleaded, the allegations of the Amended Complaint are denied.
2. The Defendants assert and reserve the right to file an amended Answer or other appropriate pleadings and to allege any affirmative defenses that might be available after a reasonable opportunity to investigate the allegations set forth in Plaintiff's Amended Complaint.
3. The Defendants specifically and expressly deny each and every allegation not specifically and expressly admitted in this Answer.
4. The Defendants respectfully join Plaintiff's trial by jury.

AFFIRMATIVE DEFENSES

5. The Defendants assert the following affirmative defenses:
 - A. All applicable immunity, including, but not limited to (and only as applicable), tort/negligence immunity, statutory tort/negligence immunity, punitive damages immunity, and sovereign immunity;

- B. Qualified immunity (if individual capacity claim)
- C. Justification;
- D. Mootness;
- E. The Plaintiff has failed to state a claim upon which relief can be granted;
- F. Defendants avail themselves of all statute of limitations defenses applicable to this claim;
- G. Offset/Setoff;
- H. All defenses under the Prison Litigation Reform Act (P.L.R.A), 42 U.S.C. § 1997e, including, but not limited to the requirement for proof of a physical injury, the exhaustion of administrative remedies requirement, and the limitations on attorneys' fees; and
- I. Common defense doctrine, as applicable.

WHEREFORE, Defendants pray that the Plaintiff's Amended Complaint be dismissed and for any and all other just and proper relief to which she is entitled.

Respectfully submitted,

LT. NICOLE NELSON, GREGORY BOLT, and
SGT. MURPHY, in their official capacities,
Defendants

Melissa K. Hollowell, Ark. Bar No. 2017150
Attorney for Pulaski County Defendants
ASSOCIATION OF ARKANSAS COUNTIES
RISK MANAGEMENT SERVICES
1415 W. Third Street
Little Rock, Arkansas 72201
Telephone: (501) 375-8805
Email: mhollowell@arcounties.org

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2020, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system, and I mailed the document by United States Postal Service to the following non-CM/ECF participant:

Mr. Michael Robertson, Pro Se
c/o Pulaski County Jail
3201 W. Roosevelt Road
Little Rock, AR 72204

/s/Melissa K. Hollowell
Melissa K. Hollowell, Bar No. 2017150
Attorney for Pulaski County Defendants